AO 440 (Rev. 04/08) Civil Summons

UNITED STATES DISTRICT	COURT
for the	•

Eastern District of Texas

TEXAS FUNTIPE

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EMG TECHNOLOGY, LLC.)
Plaintiff) BY
v.) Civil Action No. 6:08cv447
APPLE, INC., ET AL.)
Defendant)

Summons in a Civil Action

To: (Defendant's name and address)

UNITED PARCEL SERVICE, INC. Corporation Service Company 701 Brazos Street, Suite 1050 Austin, TX 78701 USA

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

CHARLES AINSWORTH PARKER BUNT & AINSWORTH PC 100 E FERGUSON SUITE 1114 **TYLER TX 75702**

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

1/30/09

Date:



Name of clerk of court

MLL

Deputy clerk's signature

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)

Proof of Service

by:	porjury that I served the summons and	compraint in this case on	
(1) personally delive	ering a copy of each to the individual and	ual place of abode with	; or
(2) leaving a copy o who resides there	f each at the individual's dwelling or usue and is of suitable age and discretion; or	ual place of abode with r	·
., .	y of each to an agent authorized by appo	ointment or by law to receive it whose name is ; or	
(4) returning the sun	nmons unexecuted to the court clerk on	; or	
(5) other (specify)			
Лy fees are \$	for travel and \$	for services, for a total of \$ 0.00	•
Date:		Server's signature	
		Printed name and title	
		Server's address	

AFFIDAVIT OF SERVICE

Came to hand on the 2nd day of February , 2009, at 8:00 o'clock Cause No. 6:08CV447

Executed at 701 Brazos Street, Suite 1050 Austin, Texas 78701 within the County of Travis at 11:05 o'clock am on the 2nd of February , 2009, by delivering to the within named:

UNITED PARCEL SERVICE, INC.,

by delivering to its Registered Agent, CORPORATION SERVICE COMPANY, by delivering to its designated agent, KELLY COURTNEY, in person, a true copy of this Summons in a Civil Action together with Second Amended Complaint for Patent Infringement, Exhibit A and Exhibit B attached, having first endorsed upon such copy of such Summons the date of delivery.

I am not a party to or interested in the outcome of the suit referenced above. I am authorized by written order to serve citation and other notices. I am not less than eighteen (18) years of age.

Service Fee \$

EMB TECHNOLOGY, LLC

Plaintiff

APPLE, INC., ET AL

Defendant

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By:

Jeff Keyton ID# SCH-735

(Authorized Person)

THOMAS PROCESS

809 Rio Grande Street Suite 103 Austin, Texas 78701 (512) 320-8330

VERIFICATION

STATE OF TEXAS COUNTY OF TRAVIS

BEFORE ME, A NOTARY PUBLIC, on this day personally appeared , known to me to be the person whose name Jeff Keyton is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are true and correct.

Given under my hand and seal of office this 2nd THO A

February , A.D., 2009.

NOTARY PUBLIC, STATE OF TEXAS

41717/030-0958